Mark E. Smith Smith McKenzie Rothwell & Barlow, P.S. 500 Union St., Suite 700 Seattle, WA 98101 (206) 224-9900

Attorneys for Plaintiffs

## UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

CEMENT MASONS AND PLASTERERS	)	
HEALTH AND WELFARE TRUST, et al.,	)	
	)	
Plaintiffs,	)	Case No. C03-5172FDB
	)	
V,	)	ORDER OF DISMISSAL
	)	WITHOUT PREJUDICE
LANDEL CORPORATION, a Washington	)	
Corporation,	)	
Defendant.	)	
	)	

IN ACCORDANCE WITH plaintiffs' motion, it is hereby,

ORDERED, ADJUDGED and DECREED that this action be dismissed without prejudice and without costs to any party.

DATED this 7<sup>th</sup> day of October 2005.

ORDER OF DISMISSAL WITHOUT PREJUDICE - 1 FRANKLIN D. BURGESS UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Mark E. Smith

Mark E. Smith, WSBA #30924 SMITH McKENZIE ROTHWELL & BARLOW, P.S. Attorneys for Plaintiff Trusts

ORDER OF DISMISSAL WITHOUT PREJUDICE - 2